

REMARKS

Upon entry of this paper, claims 1, 5, 6, 8, and 17 have been amended, claims 4 and 18 have been cancelled, and no claims have been added as new claims. Thus, claims 1-3, 5-17, and 19-20 are presently pending in this application. No new matter has been added.

Applicant gratefully thanks the Examiner for the indication of allowable subject matter in the form of existing claims 12-16 (allowed), and claims 3-8, 10-11, and 18-20 if rewritten according to the suggestions stated in the Office Action. Applicant has accordingly amended claims 1 and 17 to incorporate the subject matter of claims 4 and 18 respectively. As such, Applicant considers the present application to be in condition for allowance. Action to that end is respectfully requested.

Drawing Objections

Applicant provides a copy of formal drawings in association with this Response. Applicant believes the formal drawings address any outstanding issues as noted by the draftsman, and as such, Applicant respectfully requests withdrawal of the drawing objections.

Claim Rejections under 35 U.S.C. §102

Claims 1-2, 9 and 17

Claims 1-2, 9 and 17 were rejected under 35 U.S.C. §102 as being anticipated by US Patent No. 4,714,891 to Morrison, Jr. (Morrison '891). Claims 1 and 17 have been amended to more clearly identify the claimed invention. Applicant provides further remarks distinguishing the claimed invention from Morrison '891.

As proffered by the indication of allowable subject matter, Morrison '891 does not disclose, teach, or suggest a system for determining the presence or absence of an ion in a plasma, wherein the system includes an ion source having a plasma chamber sized and dimensioned for generating a plasma having an ion present therein; and a probe assembly coupled to the ion source for detecting said ions of said plasma, the probe assembly having a probe device for extracting one or more of said ions from said plasma and a filter coupled to said probe device for filtering said one or more ions extracted by said probe device from said plasma. (See amended claim 1)

Likewise, Morrison '891 fails to disclose, teach, or suggest a method for detecting an ion within a plasma generated within a plasma chamber of an ion source, wherein the method includes extracting the ion from the ion source with a probe device; filtering the ion extracted from the ion source; and detecting the ion extracted from the plasma chamber. (See amended claim 17).

Independent claim 12, and dependent claims 2, 3, 5-11, 13-16, 18, and 19 are likewise not anticipated by Morrison '891 based on their dependency on allowable base claims, in addition to their own claim characteristics, and statements made in the most recent Office Action.

In light of the above comments, applicant respectfully submits that the claims of the present invention are not anticipated by, and are therefore in condition for allowance over, Morrison '891.

Prior Rejections Are Withdrawn

The Office Action indicates that Applicant's arguments with respect to the claims are moot in view of the new grounds of rejection. There is no reference to, or maintenance of, the prior grounds of rejection. Under MPEP §707.07(e) and *Paperless Accounting, Inc. v. Bay Area Rapid Transit System*, 804 F.2d 659, 231 USPQ 649, a

requirements or rejection in a prior Office Action is withdrawn if the examiner does not repeat or refer to that requirement or rejection. Accordingly, Applicant considers all rejections and objections to be either addressed or withdrawn upon filing of this Response. As such, Applicant respectfully submits that all claims are now allowable, and action to that end is respectfully requested.

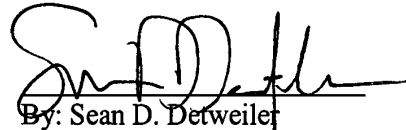
CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance. Applicant courteously solicits allowance of the claims in the form of a Notice of Allowance. Should there be any outstanding issues of patentability following the entry of this response, a telephone interview is respectfully requested to resolve such issues.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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